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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,906	10/18/2001	Kevin Owen	10012753-1	8521

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HEWLETT-PACKARD COMPANY
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EXAMINER

SAJOUS, WESNER

ART UNIT	PAPER NUMBER
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2628

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/982,906	OWEN, KEVIN	
	Examiner	Art Unit	
	Sajous Wesner	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23,25,26,28,29,31,32 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,9-23,25,26,28,29,31,32 and 34-37 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to the amendment filed on 5/11/06. Claims 1-23, 25-26, 28, 29, 31-32, and 34-37.

Response to Arguments

1. Applicant's arguments with respect to claims 1-23, 25-26, 28, 29, 31-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. Claims 1-4, 9-11, 13-17, 19-23, 25-26, 28-29, 31-32, 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski et al. (US 7027172).

Considering claim 1, Parulski discloses a method for facilitating display of a graphic on an electrical device (see figs. 1-4), comprising:
receiving from a user with a host computer (interpreted as camera 300) a selection of graphical data (e.g., images) representing a graphic to be transmitted to an electrical device that is a printer, or a multifunction peripheral, or a network appliance (that is characterized by item 400 of fig. 1, see col. 4, line 52 through col. 5, line 30, and col. 7, lines 35-45); and facilitating transmission (via item 342) of the graphical data representing the graphic from the host computer to the electrical device such that the electrical device can display the graphic in a control panel display (432) of the electrical device (see col. 5, line 65 to col. 6, line 37, and col. 8, lines 4-48).

As per claims 2-3, Parulski discloses graphical data that is accessible via a network and an indication of a location of the graphical data. See abstract. And col. 6, lines 38-55.

As per claim 4, Parulski discloses transmitting the graphical data along with a print job to be performed by the electrical device (col. 6, lines 30-55).

As per claim 9, the claim is rejected for reason similar to claim 1.

As per claim 11, the claim is rejected for reason similar to claim 4.

As per claim 10, the claim is rejected for reason similar to claim 3.

As per claim 13, Parulski discloses means for receiving a user selection as to an electrical device state during which the graphic is to be displayed (see col. 8, lines 4-25).

As per claims 14 and 28-29, claims 14 and 28-29 contain features that are substantially equivalent to the limitations recited in claim 1. Thus, claims 14 and 28-29, are, therefore, rejected under the same rationale as claim 1. In addition, the Examiner interprets Parulski to disclose receiving an indication as to how a graphic represented by the selected graphical data is to be displayed (see col. 8, lines 4-25).

As per claim 15, the claim is rejected for reason similar to claim 4.

As per claim 16, the claim is rejected for reason similar to claim 13.

As per claim 17, Parulski discloses the electrical device state comprises at least one of an initiation state, a ready state or an operating state (i.e; a start mode, a printing in process mode, a print setup mode, etc..., see col. 8, lines 7-30).

As per claims 19 and 31-32, the claims are rejected for reason similar to claim 14.

As per claim 20, the claim is rejected for reason similar to at least one of claims 4, 11 and 15.

As per claim 21, the claim is rejected for reason similar to claim 21.

Claims 22-23, 25-26 are rejected under the same rationale as claims 4, 11, 15, and 20, respectively.

Claim 34 contains features that are analogous to the limitations recited in claim 1. As a result, the limitations of claim 34 are rejected under the same rationale as claim 1.

Claim 35 is rejected for reason similar to claim 4.

As per claim 35, Parulski inherently discloses providing the selected graphical data in a header of the print job (as characterized by the description at col. 9, lines 40-63).

Claim Rejections - 35 USC § 103

4 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 12, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski in view of Armstrong et al. (US 2005025941).

As per claim 5, Parulski fails to disclose the graphical data comprises two or more frames in GIF89a format that can be displayed in sequence to create an animation.

Armstrong discloses the graphical data comprises two or more frames in GIF89a format that can be displayed in sequence to create an animation. See paragraph 32. Please note that frame GIF89a is a well-known standard for creating animation.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the printing system of Parulski to include the features of Armstrong, in order to provide rich media content involving image animation over a network.

As per claim 12, the claim is rejected for reason similar to claim 5.

As per claim 18, the claim is rejected for reason similar to claim 5.

Allowable Subject Matter

6. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, because the prior art of record fail to teach a method for facilitating the display of a graphic image on an electrical device that is one of a printer, a photocopier or a facsimile machine by receiving a user selection from a host computer as to when the graphic is to be displayed by the electrical device and transmitting an indication of that selection to the electrical device.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajous Wesner whose telephone number is 571-272-7791. The examiner can normally be reached on Mondays thru Fridays between 11:00 AM and 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wesner Sajous -WS-



6/22/06